

109TH CONGRESS
1ST SESSION

H. R. 4326

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2005

Received

AN ACT

To authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN-70).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REFUELING AND COMPLEX OVERHAUL OF THE**
2 **U.S.S. CARL VINSON.**

3 (a) **CONTRACT AUTHORIZED.**—Notwithstanding sec-
4 tion 1502 of title 31, United States Code, the Secretary
5 of the Navy may, subject to subsection (c), enter into a
6 contract for the nuclear refueling and complex overhaul
7 of the U.S.S. Carl Vinson (CVN–70).

8 (b) **FISCAL YEAR 2006 LIMITATION.**—Funds avail-
9 able to the Secretary of the Navy for fiscal year 2006 may
10 be used for the commencement of work on the contract
11 authorized by subsection (a) during fiscal year 2006, but
12 only for obligations in an amount not to exceed
13 \$89,000,000. Additional amounts may be obligated for
14 such work for fiscal year 2006 only to the extent to which
15 authority is expressly provided by law, and funds are ap-
16 propriated by law, for such obligations after the date of
17 the enactment of this Act.

18 (c) **CONDITION ON SUBSEQUENT CONTRACT PAY-**
19 **MENTS.**—A contract entered into under subsection (a)
20 shall provide that any obligation of the United States to
21 make a payment under the contract—

22 (1) for fiscal year 2006 for an amount that
23 would result in the total of the amounts so paid
24 being in excess of the amount specified in subsection
25 (b) is subject to the availability of appropriations for
26 that purpose made in an Act making appropriations

1 for the Department of Defense for that fiscal year;
2 and

3 (2) for a fiscal year after fiscal year 2006 is
4 subject to the availability of appropriations for that
5 purpose for that fiscal year.

6 (d) WAIVER OF PROHIBITION OF NEW STARTS
7 UNDER CONTINUING RESOLUTION AUTHORITY.—The
8 contract authorized by this section may be entered into
9 without regard to section 102(a) of Public Law 109–77
10 (119 Stat. 2038).

Passed the House of Representatives November 16,
2005.

Attest:

JEFF TRANDAHL,
Clerk.